

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JASON R. PENTA,

Plaintiff,

v.

STEVEN A. BOND, et al.,

Defendants.

No. 2:22-cv-01215-DAD-DMC

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, GRANTING
UNOPPOSED MOTIONS TO DISMISS, AND
DISMISSING REMAINING DEFENDANTS
DUE TO PLAINTIFF'S FAILURE TO
EFFECT SERVICE OF PROCESS

(Doc. Nos. 7, 21, 23, 26)

Plaintiff Jason R. Penta, proceeding *pro se*, initiated this civil action on July 11, 2022. (Doc. No. 1.) This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 3, 2022, the assigned magistrate judge issued findings and recommendations recommending that the motion to dismiss filed on behalf of Stephen M. Dean and Dean's Law Firm (Doc. No. 21) and the motion to dismiss filed on behalf of defendants Steven A. Bond, Joseph R. Carter, Pamela M. Carter, Northern Line Builders, and Jason M. Saunders (Doc. No. 23) be granted, and that those defendants be dismissed from this action. (Doc. No. 26.) The magistrate judge noted that plaintiff did not oppose either of those motions to dismiss. (*Id.* at 2.) In addition, the magistrate judge recommended that the only remaining

defendants (defendants Robert Lee Hamilton; Julie H. Hamilton, M.D., Inc.; Hamilton Law; and Norcal Houseboats) be dismissed from this action due to plaintiff's failure to effect timely service of process under Rule 4(m) of the Federal Rules of Civil Procedure. (*Id.*) The pending findings and recommendations were served on the parties and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 3.) No objections have been filed, and the time in which to do so has now passed.

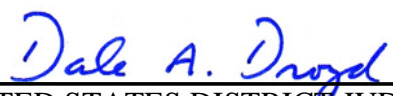
In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the findings and recommendations are supported by the record and proper analysis.

Accordingly,

1. The findings and recommendations issued on November 3, 2022 (Doc. No. 26) are adopted in full;
2. The motion to dismiss filed on behalf of defendants Stephen M. Dean and Dean's Law Firm (Doc. No. 21) is granted;
3. The motion to dismiss filed on behalf of defendants Steven A. Bond, Joseph R. Carter, Pamela M. Carter, Northern Line Builders, and Jason M. Saunders (Doc. No. 23) is granted;
4. Defendants Robert Lee Hamilton; Julie H. Hamilton, M.D., Inc.; Hamilton Law; and Norcal Houseboats are dismissed from this action due to plaintiff's failure to effect timely service of process;
5. Plaintiff's pending motion (Doc. No. 7) is denied as having been rendered moot by this order;
6. This action is dismissed in its entirety;
7. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: January 4, 2023


UNITED STATES DISTRICT JUDGE